

FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

EV731062429 U.S.

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10-19-05

Date of Deposit

Form PTO-1390-MOD (REV 10-96)		U. S. Department of Commerce Patent and Trademark Office	ATTORNEY'S DOCKET NUMBER 4-33636A/GEP
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/553816
INTERNATIONAL APPLICATION NO. PCT/EP04/004342	INTERNATIONAL FILING DATE 23 APRIL 2004	PRIORITY DATE CLAIMED 25 APRIL 2003	
TITLE OF INVENTION SECRETED POLYPEPTIDE SPECIES REDUCED CARDIOVASCULAR DISORDERS			
APPLICANT(S) FOR DO/EO/US BOUGUELERET, ET AL.			

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau. (See Form PCT/IB/308)
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An executed Declaration and Power of Attorney (original or copy) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included.

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the International application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:

U.S. APPLICATION NO. 10/553816		INTERNATIONAL APPLICATION NO. PCT/EP04/004342		ATTORNEY'S DOCKET NUMBER 4-33636A/GEP	
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The following fees are submitted:

21. <input type="checkbox"/> Basic national fee. \$300	CALCULATIONS PTO USE ONLY
22. Examination Fee <input type="checkbox"/> If International preliminary examination report was prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) \$ <input type="checkbox"/> All other situations. \$200	
23. Search fee <input type="checkbox"/> If Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority. \$ <input type="checkbox"/> If International Search Report was prepared and provided to the Office. \$400 <input type="checkbox"/> All other situations. \$	
TOTAL OF 21, 22 AND 23 =	

\$ 900			
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Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$ for each additional 50 sheets of paper or fraction thereof.

Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE	
- 100 =	/50 =		X \$	\$

Surcharge of \$ for furnishing the oath of declaration later than ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	20	- 20 =	0	X \$ 50 \$ 0
Independent claims	9	3	6	X \$ 200 \$ 1,200
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+	\$ \$
TOTAL OF ABOVE CALCULATIONS =				\$ 1,200

Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).

SUBTOTAL =				\$ 2,100
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Processing fee of \$ for furnishing the English translation later than ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(f)).

TOTAL NATIONAL FEE =				\$ 2,100
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Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$ per property

TOTAL FEES ENCLOSED =				\$ 2,100
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	Amount to be: refunded	\$
	charged	\$

a. ☐ A check in the amount of \$ to cover the above fees is enclosed.

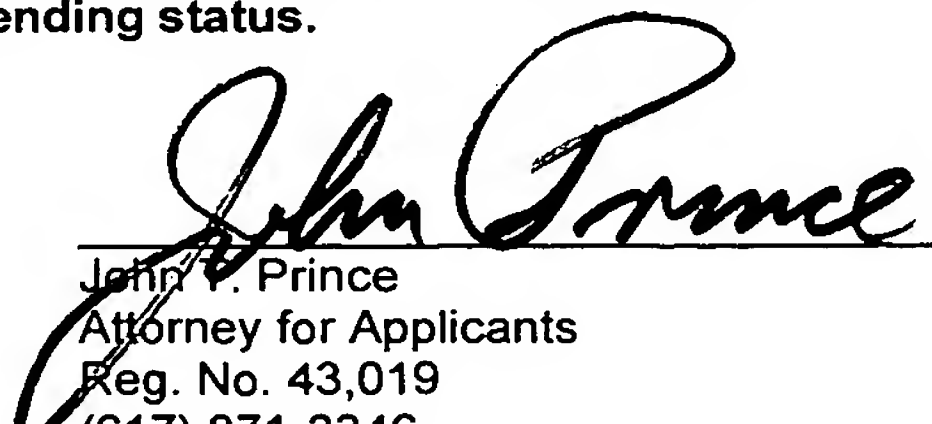
b. ☒ Please charge Deposit Account No. 19-0134 in the name of Novartis in the amount of \$ to cover the above fees. A duplicate copy of this form is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-0134 in the name of Novartis.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

Send all correspondence to the address associated with Customer No. 001095, which is currently:

Novartis
Corporate Intellectual Property
One Health Plaza, Building 104
East Hanover, NJ 07936-1080
DATED: OCTOBER 19, 2005


 John V. Prince
 Attorney for Applicants
 Reg. No. 43,019
 (617) 871-3346

DOCKET SLIP**10/553816**
JC09 Rec'd PCT/PTO **19 OCT 2005**

Case 4-33636A/GEP

Application No. _____

Present docket date: October 19, 2005

Parent Application No. _____

FEES

<input checked="" type="checkbox"/> Application	(for parent deadline) <input type="checkbox"/>	\$2,100.00
<input type="checkbox"/> Provisional application* (see below)		
<input type="checkbox"/> Petition to convert regular to provisional		
<input checked="" type="checkbox"/> National stage PCT application		
<input type="checkbox"/> "A" application		
<input type="checkbox"/> Continuation-In-Part application		
<input type="checkbox"/> Continuation application		
<input type="checkbox"/> Divisional application		
<input type="checkbox"/> Design application		
<input type="checkbox"/> PCT Application		
<input type="checkbox"/> Application Data Sheet		
<input type="checkbox"/> RCE Application		
<input type="checkbox"/> Foreign filing petition		
<input type="checkbox"/> Missing Parts		
<input type="checkbox"/> Corrections		
<input type="checkbox"/> Information Disclosure Statement		
<input type="checkbox"/> Claim of Priority		
<input type="checkbox"/> Drawings		
<input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> supplemental		
<input checked="" type="checkbox"/> Preliminary Amendment		
<input type="checkbox"/> Response to Restriction Requirement		
<input type="checkbox"/> Amendment / Response		
<input type="checkbox"/> After Final Rejection		
<input type="checkbox"/> After Allowance		
<input type="checkbox"/> Extra Claims Added		
<input type="checkbox"/> Terminal Disclaimer		
<input type="checkbox"/> Appeal		
<input type="checkbox"/> Address		
<input type="checkbox"/> Assignment Recordation		
<input type="checkbox"/> Division check		
<input type="checkbox"/> Issue fee		
<input type="checkbox"/> Abandon application		
<input checked="" type="checkbox"/> Other		
Unexecuted Declaration		

ATTORNEY: John T. Prince**DATE:** October 19, 2005

* Submit with Cover Sheet